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March 24, 2022

The Honorable Tom Vilsack  
Secretary  
U.S. Department of Agriculture  
1400 Independence Avenue, SW  
Washington, D.C. 20250

RE: Child Nutrition Programs: Transitional Standards for Milk, Whole Grains, and Sodium (RIN 0584-AE81)

Dear Secretary Vilsack:

As Democratic Members of the House Committee on Education and Labor, we write to offer our comments regarding the transitional rule entitled *Child Nutrition Programs: Transitional Standards for Milk, Whole Grains, and Sodium* published in the Federal Register on February 7, 2022. We appreciate the U.S. Department of Agriculture's (USDA or the Department) approach and urge the Department to ensure that children across the nation who participate in the federal child nutrition programs are fed meals that align with the most recent Dietary Guidelines for Americans (DGAs).

We understand that immediate and short-term relief has been necessary for meal providers during the COVID-19 pandemic. The COVID-19 pandemic has created unprecedented challenges, including labor and menu item shortages as well as supply chain disruptions,<sup>1</sup> that have made it more difficult for schools to procure and receive products that comply with nutrition standards. Many of these challenges are persisting as schools return to a traditional meal service, and we appreciate the need to provide limited and temporary flexibility for nutritional requirements, including those pertaining to milk, whole grains, and sodium.

However, as we look to the future, meal patterns should be based off a scientific process for assessing the evidence, as is the process in the DGAs, as expeditiously as possible.

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<sup>1</sup> *School Meal Trends & Stats*, SCHOOL NUTRITION ASSOC.,  
<https://schoolnutrition.org/aboutschoolmeals/schoolmealtrendsstats/> (last visited Mar. 9, 2022).

Substantially conforming the meal patterns to the evidenced-based recommendations in the DGAs will ensure that children receive quality, nutritious food and beverages. The 2019 *School Nutrition and Meal Cost Study* published by USDA's Food and Nutrition Service demonstrated that participation in child nutrition programs resulted in improved health outcomes and higher dietary quality.<sup>2</sup> The study found that National School Lunch Program (NSLP) participants consumed more nutritious food, including fruits and vegetables, than those who did not participate in NSLP.<sup>3</sup> High nutrition standards are crucial as breakfast and lunches are designed to provide children with one-fourth and one-third of the total daily caloric intake, respectively, meaning that often, more than 50 percent of a child's caloric intake comes from consuming school meals.<sup>4</sup> Furthermore, whole grains provide essential vitamins, minerals, and dietary fiber that, when consumed, may help reduce serum cholesterol,<sup>5</sup> regulate blood glucose,<sup>6</sup> lower the risk of cardiovascular disease,<sup>7</sup> and support healthy digestion.<sup>8</sup> On the other end of the spectrum, although sodium is an essential micronutrient, excessive and unsafe amounts may exacerbate diet-related diseases and health disparities among communities of color.<sup>9</sup>

Black and Hispanic communities are disproportionately impacted by food insecurity<sup>10</sup> and diet-related chronic diseases,<sup>11</sup> and participation in school meal programs is highest among Black and Hispanic children.<sup>12</sup> Therefore, healthy school meals also represent an important opportunity to address health disparities and support racial equity with nutrition standards that conform to scientific recommendations. A commitment to ensuring robust science-based

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<sup>2</sup> Mary Kay Fox, Elizabeth Gearan, Charlotte Cabili, et al., *School Nutrition and Meal Cost Study Final Report Volume 4: Student Participation, Satisfaction, Plate Waste, and Dietary Intakes* (U.S. DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE, OFFICE OF POLICY SUPPORT 2019).

<sup>3</sup> *Id.* at 150.

<sup>4</sup> *Meal Patterns*, CONNECTICUT STATE DEP'T. OF EDUC., (March 2022) [https://portal.ct.gov/-/media/SDE/Nutrition/MPG/MPG1\\_Meal\\_Patterns.pdf#:~:text=The%20meal%20patterns%20for%20each%20grade%20group%20require,food%20components%20for%20breakfast%20%28milk%2C%20fruits%2C%20and%20grains%29.](https://portal.ct.gov/-/media/SDE/Nutrition/MPG/MPG1_Meal_Patterns.pdf#:~:text=The%20meal%20patterns%20for%20each%20grade%20group%20require,food%20components%20for%20breakfast%20%28milk%2C%20fruits%2C%20and%20grains%29.)

<sup>5</sup> James W. Anderson, Pat Baird, Richard H. Davis et al., *Health benefits of dietary fiber*, 67,4. NUTR REV. 188-205 (2009).

<sup>6</sup> Dagfinn Aune, Teresa Norat, Pal Romundstad, et al., *Whole grain and refined grain consumption and the risk of type 2 diabetes: a systematic review and dose-response meta-analysis of cohort studies*, 28(11), EUR J EPIDEMIOL. 845-858 (2013).

<sup>7</sup> Philip B. Mellen, Thommas F. Walsh, David M. Herrington. *Whole grain intake and cardiovascular disease: meta-analysis*, 18,4, NUTR METAB CARDIOVASC DIS. 283-290 (2008).

<sup>8</sup> James W. Anderson, Pat Baird, Richard H. Davis et al., *Health benefits of dietary fiber*, 67,4. NUTR REV. 188-205 (2009).

<sup>9</sup> Robert E. Mazur, Grace S. Marquis, Helen H. Jensen, *Diet and food insufficiency among Hispanic youths: acculturation and socioeconomic factors in the third National Health and Nutrition Examination Survey*, 78(6), AM J CLIN NUTR. 1120-1127 (2003).

<sup>10</sup> Alisha Coleman-Jensen, Matthew P. Rabbitt, Christian A. Gregory, et al., *Household Food Security in the United States in 2020*, ERR-298, U.S. DEPT. OF AGRICULTURE, ECON. RSCH. SERV. (2021).

<sup>11</sup> Debbe Thompson, Chishinga Callender, Denisse Velazquez, et al., *Perspectives of Black/African American and Hispanic Parents and Children Living in Under-Resourced Communities Regarding Factors That Influence Food Choices and Decisions: A Qualitative Investigation*, 8(3), CHILDREN (BASEL). 236 (2021).

<sup>12</sup> Mary Kay Fox, Elizabeth Gearan, Charlotte Cabili, et al., *School Nutrition and Meal Cost Study Final Report Volume 4: Student Participation, Satisfaction, Plate Waste, and Dietary Intakes*, U.S. DEP'T. OF AGRICULTURE, FOOD AND NUTRITION SERV., OFFICE OF POL'Y SUPPORT. (2019).

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standards for school meals will dramatically improve Black and Hispanic children's access to nutritious meals and will help all children thrive.

Based on the reasons outlined above, we appreciate the Department's actions to provide temporary and limited flexibility in meeting meal pattern requirements, but we strongly urge the Department take steps to return to long-term nutrition standards for milk, whole grains, and sodium that are consistent with the most recent DGAs as soon as practicable.

Sincerely,

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**ROBERT C. "BOBBY" SCOTT**  
Chairman

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**RAÚL M. GRIJALVA**  
Member of Congress

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**JOE COURTNEY**  
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